



Eric Gonzalez
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[INSERT NAME]
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: Niurca Quinones

MOS TAX: [REDACTED]

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

IN 2016, MOS QUINONES, SHIELD NUMBER 3310, WAS INVESTIGATED BY THE OFFICE OF THE CHIEF OF DETECTIVES OF THE NYPD WITH REGARD TO HER CONDUCT IN FOUR CASES WHICH WERE NOTED IN A NOVEMBER 22, 2016 NEW YORK DAILY NEWS ARTICLE (DEFENDANTS DAQUAN JACKSON, ROBERT WILLIAMS, MICHAEL GATTISON, AND PHILIP GRANT), AS WELL AS AN UNREPORTED CASE ABOUT WHICH THE NYPD HAD RECEIVED A LETTER. THE INVESTIGATION REVEALED THAT, IN EACH CASE, MOS QUINONES HAD FAILED TO PROPERLY DOCUMENT IDENTIFICATION PROCEDURES IN A "DD-5" REPORT. ON MARCH 29, 2017, AS A RESULT OF THE INVESTIGATION, MOS QUINONES WAS REINSTRUCTED ON NYPD PROCEDURES REGARDING PROPERLY DOCUMENTING IDENTIFICATION PROCEDURES.

ON APRIL 2, 2014, SUPREME COURT JUSTICE MIRIAM CYRULNIK ISSUED A WRITTEN DECISION AND ORDER FOLLOWING A COMBINED WADE/DUNAWAY/HUNTLEY HEARING IN PEOPLE V. MICHAEL GATTISON, KINGS COUNTY INDICTMENT NUMBER 1198/2013. SEE PEOPLE V. GATTISON, 43 MISC. 3D 1209(A), 2014 N.Y. MISC. LEXIS 1558 (KINGS CO. SUP. CT. 2014). THE COURT GRANTED THE DEFENDANT'S MOTION TO SUPPRESS THE PHOTOGRAPHIC AND LINEUP IDENTIFICATIONS CONDUCTED BY MOS QUINONES, BUT DENIED THE DEFENDANT'S MOTION TO SUPPRESS THE ORAL AND WRITTEN STATEMENTS THE DEFENDANT MADE TO MOS QUINONES. THE COURT SPECIFICALLY DID NOT FIND THE TESTIMONY GIVEN BY DETECTIVE QUINONES "INCREDIBLE AS A MATTER OF LAW. . . MANIFESTLY UNTRUE. . . [OR] PATENTLY TAILORED TO NULLIFY CONSTITUTIONAL OBJECTIONS. . ." (ID., 2014 N.Y. MISC. LEXIS 1558 AT ***22) HOWEVER, THE COURT DID STATE, "THE COURT FINDS IT INCONCEIVABLE THAT A DETECTIVE WITH 23 YEARS EXPERIENCE IN THE NEW YORK CITY POLICE DEPARTMENT WOULD FAIL TO DOCUMENT AN EVENT AS SIGNIFICANT AS A POSITIVE IDENTIFICATION BY A COMPLAINING WITNESS," (ID. AT ***21-22). IN ITS DECISION THE COURT FURTHER EXPOUNDED UPON ASPECTS OF MOS QUINONES' CONDUCT THAT THE COURT FOUND QUESTIONABLE, INCLUDING MOS QUINONES' FAILURE TO DOCUMENT THAT THE VICTIM IN THE CASE HAD PREVIOUSLY

IDENTIFIED A PERSON OTHER THAN THE DEFENDANT AS THE PERPETRATOR OF THE CRIME AT ISSUE. (ID. AT ***18-24).

A COPY OF THE COURT'S DECISION IS ATTACHED HERETO.

Disclosure # 2:

NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION AGAINST MOS QUINONES ARISING OUT OF AN INCIDENT ON 08/27/1993:

ALLEGATION:

1. A COMPLAINANT KNOWN TO THE DEPARTMENT ALLEGED THAT MOS QUINONES MADE ANNOYING PHONE CALLS TO COMPLAINANT'S RESIDENCE. COMPLAINANT CONTACTED THE TELEPHONE ANNOYANCE BUREAU AND THE CALLS WERE TRACED.

CASE STATUS: CLOSED

Disclosure # 3:

NYPD SUBSTANTIATED THE FOLLOWING ALLEGATIONS AGAINST MOS QUINONES ARISING OUT OF AN INCIDENT ON 11/22/2016:

ALLEGATIONS:

1. INVESTIGATE INCOMPLETE/ IMPROPER
2. FAIL TO PREPARE REPORT

CASE STATUS: CLOSED 03/29/2017

Disclosure # 4:

The People are aware of the following federal civil rights action(s) and/or state tort civil lawsuit(s) in which the indicated officer has been named as an individual defendant. Note, the disposition information may not be current:

PLAINTIFF	DOCKET	COURT	FILED	DISPOSED	DISPOSITION
Anwar Desouza	504838/2017	Sup. Ct., Kings Cty.	3-17-17	-	Pending
Anwar Desouza	17-CV-1323	E.D.N.Y.	3-8-17	3-13-17	Voluntary dismissal by the plaintiff, without prejudice, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i)
Elwood Thomas	16-CV-644	E.D.N.Y.	2-7-16	12-21-18	Voluntarily Dismissed by Plaintiff, with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii)
Daquan Jackson	15-CV-7135	E.D.N.Y.	12-15-15	8-9-17	Voluntary dismissal by the plaintiff of all claims against Det. Quinones, with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii)

PLAINTIFF	DOCKET	COURT	FILED	DISPOSED	DISPOSITION
Robert Anton Williams, Jr.	15-CV-5609	E.D.N.Y.	9-24-15	12-3-15	Case marked closed administratively, pending disposition of plaintiff's underlying criminal case and status report to the court (Williams's last status report was December 2015 – Williams appears to have been convicted in November 2016 after a jury trial)
Michael Gattison	15-CV-5150	E.D.N.Y.	9-3-15	7-25-16	Settlement, without admission of fault or liability
Philip Grant	15-CV-3635	E.D.N.Y.	6-22-15	6-17-19	Settlement, without admission of fault or liability, after summary judgment denied and granted in part as to Quinones
Jaymes Harris	8514/2013	Sup. Ct., Kings Cty.	5-9-13	8-2-19	Disposed, the last filing in the suit was defendants' motion for dismissal, it is unclear from website data whether the disposal was pursuant to summary judgment or on other terms
Gary Martin	08-CV-2815	E.D.N.Y.	7-15-08	4-23-09	Settlement, without admission of fault or liability
John Gardner, Sr., et al.	07-CV-5374	E.D.N.Y.	12-26-07	9-18-08	Settlement, without admission of fault or liability

BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:

Disclosure #5:

CCRB Case: 9402108

Report Date: 6/15/94

Incident Date: 6/15/94

Substantiated Allegation(s):

1. Discourtesy - Curse

Eric Gonzalez
District Attorney
Kings County

SEE ATTACHEMNTS BELOW